

August 19, 2019

Mr. Szabolcs Olah
16621 York Road
Monkton, MD 21111

Re: Olah Property at 16621 York Road
Forest Buffer Variance
Tracking #03-19-3057

Dear Mr. Olah:

Baltimore County Department of Environmental Protection and Sustainability (EPS) received the above referenced request for a variance to the Baltimore County Code, Article 3 Environmental Protection and Sustainability, Title 3 Protection of Water Quality, Streams, Wetlands and Floodplains (i.e. Forest Buffer Law) on June 21, 2019. If granted, the variance would allow the continued use of 9,138 square feet of Forest Buffer Easement (FBE) to construct a replacement dwelling and maintain an existing lawn area. Installation of protective signage along the remaining FBE limit and recordation of a FBE are proposed in the variance request.

The property has existed in its current condition for over 25 years. As the new property owner, you have razed the existing house in order to build a new house in approximately the same location. Due to the orientation of the stream to the property and the extent of wetlands, the full FBE required by Section 33-3-111 of this Law encompasses the majority of the property. As a result, full compliance with the Forest Buffer Law would prevent you, the property owner, from utilizing the former house site and existing lawn area to construct a replacement dwelling and maintain a practical rear yard. Consequently, this Department finds that an unreasonable hardship exists in fully meeting the Forest Buffer Law.

If the variance is granted, impacts to water quality would be minimized by posting the limits of the continued use area and recording a FBE in the Land Records of Baltimore County to protect the stream and forested wetlands on the property. In addition, all required sediment control devices will be installed prior to construction of the house to prevent any sediment from entering the stream and wetlands.

Based upon our findings above, and in accordance with Article 33-3-106 and Article 33-3-112(c) of the Baltimore County Code, the variance request is hereby granted with the following conditions:

1. The property owner shall post "Forest Buffer-Do Not Disturb" signs along the remaining Forest Buffer limit where it abuts the continued use area. The existing Forest Buffer

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Protection Plan (FBPP) must be updated to show the approved continued use area and the locations of the signs indicating the continued use boundary. The updated FBPP must be submitted and approved by September 30, 2019.

2. The FBE and associated Declaration of Protective Covenants must be recorded in the Land Records of Baltimore County by December 31, 2019. The Exhibit A process may be used.
3. The following note must appear on all plans and plats submitted for this project:

“A variance from the Law for the Protection of Water Quality, Streams, Wetlands, and Floodplains was granted by the Baltimore County EPS on August 19, 2019. This variance allowed permanent impact to 9,138 square feet of Forest Buffer for the continued maintenance of an existing lawn area and the construction of a replacement dwelling on a former house site. Conditions were placed on this approval to reduce water quality impacts including delineating the limits of the continued use area with easement signs and recording a Forest Buffer Easement and its protective covenants to protect the stream and wetlands on the property.”

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout may require submittal of revised plans and a new variance request.

As the owner and party responsible for meeting the conditions of this variance, please sign the statement on the following page and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of this project.

If you have any questions regarding this correspondence, please call Mr. Gris Batchelder at (410) 887-3980.

Sincerely,

David V. Lykens
Director

DVL/cgb

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I/we agree to the above conditions to bring my/our property into compliance with Law for the Protection of Water Quality, Streams, Wetlands, and Floodplains.

Property Owners

Date

Printed Names